

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

SHAWN DOUGLAS HAGER,

Civil No. 19-2809 (JRT/DTS)

Plaintiff,

v.

**ORDER ADOPTING THE REPORT AND
RECOMMENDATION OF THE
MAGISTRATE JUDGE**

WASHINGTON COUNTY *and the* STATE OF
MINNESOTA

Respondents.

Shawn Douglas Hager, J00006550 Washington County Law Enforcement Center, P.O. Box 3801, Stillwater, MN 55082, *pro se* plaintiff;

Plaintiff Shawn Douglas Hager¹ brought an action under 42 U.S.C. § 1983, seeking injunctive relief and damages relating to various actions by the county and state. The Magistrate Judge issued a Report and Recommendation (“R&R”) recommending that the Court dismiss the majority of Hager’s claims, and stay the remaining claim for damages. Hager subsequently filed objections to the R&R. Because the Court lacks jurisdiction over the majority of Hager’s claims, and because *Younger* abstention requires the Court to stay the remaining claim for damages, the Court will overrule Hager’s objections and adopt the Magistrate Judge’s R&R.

¹ Although Plaintiff previously requested that the Court use his preferred name and pronouns, as of June 1, 2020, Plaintiff requests that the Court use his birth name and pronouns. (See Letter, June 1, 2020, Docket No. 16.) The Court has done so here.

BACKGROUND

Hager is detained pending trial in state court on charges of criminal sexual conduct, where he is currently proceeding pro se. *See State v. Hager*, No. 82-CR-19-0764 (Minn. Dist. Ct.).

Hager's alleges that the police, public defenders, and a judge have violated his civil rights, and demands that all criminal matters be dropped, that he be awarded \$1.1 million in reparations, as well as a host of other injunctive requests. (Compl. at 5–15, Oct. 30, 2019, Docket No 1; Letter Request, Apr. 27, 2020, Docket No. 10.) Hager also filed an application to proceed in forma pauperis (IFP). (Oct. 30, 2019, Docket No. 2.)

After reviewing Hager's Complaint, Magistrate Judge David T. Schultz found that the Court had no jurisdiction for the majority of Hager's claims. (R&R at 11, May 4, 2020, Docket No. 11.) As to Hager's claims for damages relating to his pending state criminal cases, the Magistrate Judge recommended that the Court stay the claims, per the *Younger* abstention doctrine. (*Id.*) Accordingly, the Magistrate Judge recommended denying the Motion for IFP as moot. (*Id.*)

Hager filed a letter discussing the appropriate amount of damages requested (May 6, 2020, Docket No. 12); Objections to the R&R (May 13, 2020, Docket No. 14), and a series of letters about the case (May 26, 2020, Docket No. 15; June 1, 2020, Docket No. 17; June 8, 2020, Docket No. 19; June 29, 2020, Docket No. 21.) The Court interprets these letters as additional Objections to the R&R.

DISCUSSION

I. STANDARD OF REVIEW

Upon the filing of an R&R by a Magistrate Judge, “a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2); *accord* D. Minn. LR 72.2(b)(1). “The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to.” Fed. R. Civ. P. 72(b)(3); *accord* D. Minn. LR 72.2(b)(3).

II. HAGAR’S OBJECTIONS

Hagar generally disagrees with the R&R, and reiterates that his civil rights have been violated. He also discusses potential increases to the amount of damages requested, as well as slight variations to other forms of relief requested. However, Hagar does not provide any challenge to the R&R’s finding of jurisdictional defects in his claim—that he may not seek injunctive relief on behalf of others, that his claims are not ripe, that his injunctive requests are overbroad, and that his claims are barred by *Younger* abstention. Nor would the Court find differently on de novo review. Furthermore, Hager does not challenge the R&R’s finding that his claim for damages relating to the state court proceeding must be stayed under the doctrine of *Younger* abstention. Although Hager is disappointed with and disagrees with the findings of the Magistrate Judge, the Court finds

no basis for his Objections. Accordingly, the Court will overrule Hager's Objections and adopt the R&R.

ORDER

Based on the foregoing, and all the files, records, and proceedings herein, the Court **OVERRULES** Hager's Objections [Docket Nos. 11, 14, 15, 17, 19, 21] and **ADOPTS** the Magistrate Judge's Report and Recommendation dated May 4, 2020 [Docket No. 11].

Therefore, **IT IS HEREBY ORDERED** that:

1. Hager's Complaint [Docket No. 1] is **DISMISSED WITHOUT PREJUDICE** to the extent it seeks injunctive relief.
2. Hager's remaining claims seeking damages are **STAYED** pending resolution of Hager's state court cases, including *State v. Hager*, No. 82-CR-19-0794 (Minn. Dist. Ct.); and *State v. Hagar*, No. 82-CR-19-1558 (Minn. Dist. Ct.).
3. Hager's Application to Proceed in District Court Without Prepaying Fees or Costs, [Docket No. 2] is **DENIED** as moot.
4. The Case shall be **ADMINISTRATIVELY CLOSED** until Hager notifies the Court that his state criminal cases have been resolved.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: August 12, 2020
Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court